

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

WENDELL GRAVES	:	CIVIL ACTION
	:	
v.	:	
	:	
GERALD L. ROZUM, et al.	:	NO. 07-4939

ORDER

AND NOW, this 27rd day of May, 2008, upon careful and independent consideration of Wendell Graves's pro se petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 (docket entry #1), the respondent's response, the petitioner's subsequent response in traverse, the Report and Recommendation of the Honorable Lynne A. Sitarski, and Graves's objection, and the Court finding that Judge Sitarski correctly analyzed the timeliness issues in Graves's petition, it is hereby ORDERED that:

1. The Report and Recommendation is APPROVED and ADOPTED;
2. The petition for writ of habeas corpus is DENIED;
3. Wendell Graves having made no substantial showing of a denial of a constitutional right, we DECLINE to issue a certificate of appealability; and
4. The Clerk shall CLOSE this civil action statistically.

BY THE COURT:

/s/ Stewart Dalzell, J.